

From: Stephen L. Des Jardins/DCP [mailto:sld@dcpltd.com]
Sent: Tuesday, January 25, 2011 7:17 AM
To: Will Wong
Subject: Fw: Baltimore Ravine Investors, LLC - Access Over Herdal Road
Importance: High

Will,

As the Planning Commission and City Council review access to the project, I want them to have the best information available, and would ask that you forward this e-mail to them for their review.

Tim Ward is a senior underwriter for First American Title Company who wrote the title insurance for the project, and below he details the access that has occurred since 1965. The Chevreux Parcel he refers to is currently zoned for 300 units, and has been zoned since at least the 1970's.

This forward planning for access by the historical owners and the City has existed now for 46 years. I hope this is helpful.

Stephen L. Des Jardins
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----- Forwarded by Stephen L. Des Jardins/DCP on 01/25/2011 06:55 AM -----

"Ward, Tim" <Tward@firstam.com>

To "Stephen L. Des Jardins/DCP" <sld@dcpltd.com>

cc

01/21/2011 01:04 PM

Subject Baltimore Ravine Investors, LLC - Access Over Herdal Road

Stephen

First American has researched record access from the land owned by Baltimore Ravine Investors, LLC, which is tax parcel 040-050-010-000 and is referred to below as the "Chevreux Parcel," to Auburn-Folsom Road. There are two types of record access that benefit the Chevreux Parcel; a private access easement and access over a public street known as Herdal Road.

In particular, the private access easement, which provides the Chevreux Parcel with record access to Auburn-Folsom Road, was created by that certain "Order Approving Fifth and Final Accounting . . . Decree of Distribution" for the Estate of George J. Herdal that was recorded on September 8, 1965 in Vol. 1080, Page 233 (the "1965 Private Easement"). The 1965 Private Easement runs easterly from the SPRR Co. parcel and terminates at Auburn-Folsom Road. The specific location of 1965 Private Easement was not described on the Order.

Subsequently, the location of a portion of the 1965 Private Easement was fixed by the "Judgment Fixing Location of Easement . . ." that was recorded on March 19, 1987 in Book 3150 at Page 530 (the "1987 Judgment"), which is the same location as the public street known as Herdal Road that is shown on the map of Vista Del Valle Unit 4 recorded over a year later on May 10, 1988. The location of the portion of the 1965 Private Easement that was fixed by the 1987 Judgment terminates on the eastern line of the map of Vista Del Valle Unit 4, which is the western terminus of Herdal Road, an already existing public street, as shown on the map of Vista Del Valle Unit 1 that recorded on June 7, 1977. The 1965 Private Easement continues to run from the eastern line of the map of Vista Del Valle Unit 4, easterly, to Auburn-Folsom Road. The owner(s) who filed the maps of Vista Del Valle Units 1 and 4 dedicated Herdal Road to the City of Auburn as a public street; the City accepted such dedications on the maps.

Therefore, Baltimore Ravine Investors, LLC, the owner of the Chevreaux Parcel, has both private and public access to Auburn-Folsom Road.

Tim Ward
Division Underwriter
Vice President



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BOOK L of MAPS, AT PAGE 13

VISTA DEL VALLE UNIT I

FOR SEC. 21 T. 12N. R. 8E. M.D.B. & M.

IN THE CITY OF AUBURN

PLACER COUNTY, CALIFORNIA

APRIL 1977

SCALE 1" = 50'

KENDRALL ENGINEERING

LEGEND

- ... CALCULATED POINT ONLY
- ... STAMPED, RECORDED, FILED AT ALL LOT CORNERS
- ... RECORD AS NOTED AT RIGHT-OF-WAY
'

BASIS OF BEARINGS

THE BASIS OF BEARINGS OF THIS SURVEY IS THE CORNER OF N 103° 10' 51" E FOR THE EAST LINE OF THE ADJACENT SEC. 21 AS NOTED IN BOOK I OF SURVEYS PAGE 85 & 86.

